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SUBJECT: ELECTION LAW CRISIS FOSTERS SUNNI-SHIA COOPERATION

Classified By: Ambassador Christopher R. Hill for Reasons 1.4 (b) and (d).

¶1. (C) SUMMARY: A significant side-effect of the recent election law crisis was the emergence of greater political cooperation between some Sunni and ISCI Shia political leaders. In mid-November, traditional Shia hard-liner and ISCI/Badr bloc leader Hadi al-Amiri unexpectedly emerged as a voice of moderation when he reached out to Sunni and Kurdish leaders to propose an election law compromise (ultimately accepted on December 6) that addressed the demands of all three sectarian blocs. At a dinner hosted by DPM Rafi al-Issawi to celebrate the December 6 agreement, Issawi and al-Amiri commented at length about how having to cooperate in negotiations with the Kurds had helped foster greater cooperation between some Sunni and Shia leaders. They speculated that the newfound comity could mature into political alliances in the course of forming a government after the upcoming national elections. END COMMENT.

¶2. (C) Deputy PM Issawi, who helped lead the Sunni bloc's participation in negotiations on an election law compromise, hosted a victory dinner December 7 for U.S. and UN officials who had helped bring about the deal. Throughout the evening, comments by Iraqi interlocutors suggested that the deal represented an essentially fair compromise whose terms would not constitute a pretext for any of the major blocs to boycott participation in the elections. Perhaps more significant were the remarks by Issawi and ISCI/Badr bloc leader Hadi al-Amiri regarding the nascent political cooperation between their parties that emerged as a result of their collaboration over the election law compromise. Two weeks earlier, relations between Issawi and Amiri were professional but strained as they heatedly negotiated election law minutiae. By contrast, on the evening of December 7, they sat together at dinner, joking about the trials and tribulations of the process and reaffirming their newfound friendship.

¶3. (S/NF) A leader of Shia armed resistance to Saddam and, until the adoption of the constitution in 2005, coalition forces, Amiri leads the Iranian-backed Badr Organization, a constituent member of the Islamic Supreme Council of Iraq (ISCI) umbrella party. Amiri is widely known to have played a leading role in organizing attacks by the Badr Corps militia (the strongest, most disciplined Shia militia at the time and precursor to the current Badr Organization) against Sunnis during the sectarian violence of 2004-2006. Sources indicate that he may have personally ordered attacks on up to 2,000 Sunnis. One of his preferred methods of killing allegedly involved using a power drill to pierce the skulls of his adversaries. Given his role in sectarian violence and prominent position in the dominant Shia coalition, it is understandable that Sunni leaders were hesitant to view him as a viable negotiating partner when he proposed a compromise parliamentary seat distribution after the November 23 Shia-Kurd backed electoral amendment was adopted.

THE ENEMY OF MY ENEMY IS MY FRIEND

¶4. (C) Issawi and Amiri suggested that the Kurds' prolonged insistence on additional compensatory seats, which was viewed as having been overly parochial, had prompted some Shia and Sunni leaders to make common cause against the Kurds and other hardliners (including Sunni VP al-Hashimi) as the negotiations wore on. Issawi and Amiri agreed that they must move beyond sectarian politics and went so far as to argue for "Iraqi nationalism", vice Arab nationalism (which some interpret to exclude the Kurds). Issawi noted that moderate Kurdish leaders such as President Jalal Talabani and Kurdistan Regional Government (KRG) PM Barham Salih, who had played critical roles in promoting national unity, had lost influence after the July 2009 KRG elections to hardliners like KRG President Masoud Barzani and, more worryingly, Iraqi Kurdish Parliament Speaker Kamal Kirkuki. Issawi continued that it was unfortunate that Barzani, who is a strong leader, is now constrained by current KRG domestic politics in such a way that his ability to compromise on national issues is limited.

¶5. (C) With a second veto by VP Hashimi looming after the November 23 amendment, Issawi and Amiri had spent several days hashing out a seat distribution acceptable to both Arab factions. They recognized that the Kurds insisted that they preserve their current percentage of seats as a precondition for any consensus agreement on an election law. Amiri had previewed the emerging deal with Kurdistan Alliance List (KAL) leader Fuad Masoum, then after formally presenting the compromise to Masoum, Sunni and Shia leaders had pressured the Kurds to accept. Amiri noted over dinner that he had

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spoken to Hashimi and former Iraqi PM Ayad Allawi (a secular Shia) numerous times during the week leading up to the final agreement on December 6. Issawi and Amiri confirmed that despite their political differences (and, in some cases, longstanding mutual enmity), leaders on both sides had been compelled to work together to achieve a consensus agreement that would allow the election law to withstand another potential veto. Amiri commented that ISCI's leadership was aware of his new relationship with Sunni political heavyweights, and noted that it was something that constituents in the Shia heartland would view with suspicion.

PROTRACTED NEGOTIATIONS LEAD TO MORE JUST LAW

¶6. (C) Issawi and Amiri considered adoption of the election law to be a particularly hard-won achievement given that the Kurds threatened to boycott the elections after the Independent High Electoral Commission (IHEC) released the COR seat distribution based on the November 8 election law amendment. Similarly, Sunnis would have likely boycotted had the Shia and Kurds simply overridden a potential Hashimi veto of the November 23 amendment with a three-fifths absolute majority in the COR. The compromise agreement allows the parties to claim victory with their respective constituencies; its terms are such that no one sectarian group benefited unfairly.

¶7. (C) COMMENT: Given the existential issues (final disposition of Kirkuk, disputes over shifting electoral demographics) involved in the protracted negotiations, consensus agreement on an election law and COR seat distribution represents a significant political achievement for Iraqi politics. The fact that it was achieved through a joint effort by such seemingly incongruous political bedfellows as Hadi al-Amiri and Rafi al-Issawi is promising. Issue-based political alliances are not common in Iraq; the fact that some Sunnis and Shia formed one in the final stages of a contentious election law debate is an encouraging indicator of a maturing political dynamic in Iraq. END COMMENT.

HILL